



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAY 13 2016

ASSISTANT ADMINISTRATOR  
FOR ENFORCEMENT AND  
COMPLIANCE ASSURANCE

Nicholas W. Craw, President & CEO  
Automobile Competition Committee for the United States, FIA Inc.  
7800 S. Elati Street, Suite 303  
Littleton, CO 80120

Dear Mr. Craw:

This letter is in response to the questions you raised with my staff regarding the Environmental Protection Agency's (EPA) views regarding certified motor vehicles converted to dedicated competition use. I appreciate your interest in this matter, and welcome the opportunity to set the record straight.

The EPA and the responsible racing community agree on two major points. First, vehicles that are used solely for competition in sanctioned events should be allowed to do so, as they historically have. Second, vehicles driven on public roads must have fully functioning pollution controls as required by the Clean Air Act.

As you know, the EPA is very concerned with the use of parts or components that are used to bypass, defeat, or render inoperative the emission controls on vehicles that are certified for use on public roads. Defeating these emission controls is both illegal and harmful to public health. Our focus on defeat devices in the enforcement context has recently led to concerns in the racing community that perhaps the EPA seeks to stop the decades-old practice of converting certified production vehicles to competition vehicles that are to be used solely for sanctioned events. To be clear: we are not.

We note that a great many vehicles used exclusively for competition in the United States are not subject to the Clean Air Act at all. These are purpose-built, dedicated competition vehicles, and they have never been certified to any emission standard. The vehicles raced in the NASCAR Sprint Cup Series and IndyCar Series are examples of this. For motor vehicles that are certified for use on public roads, the Clean Air Act has always prohibited tampering with or defeating those vehicles' emission control systems. However, just like the purpose-built, dedicated competition vehicles described above, the EPA likewise has no interest in vehicles that begin their existence as normal, EPA-certified production vehicles used on public roads and are then permanently converted to sanctioned competition-use only vehicles.



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The EPA has never taken, and has no intention to take, enforcement action against vehicle owners for removing or defeating the emission controls of an EPA-certified motor vehicle for the purpose of permanently converting it to a vehicle used solely for sanctioned competition. For these purposes, *permanent conversion to a vehicle used solely for sanctioned competition* means that at the time the vehicle is altered, the vehicle is neither registered for use on public roads nor insured for use on public roads. It also means the vehicle is never again used on public roads (except in the limited circumstances when sanctioned, closed-course competitions are held on public roads), even for the purpose of traveling to participate in a competition event.

The EPA is confident that we can simultaneously let racers race and protect the public by vigorously pursuing sellers of illegal defeat devices. I hope this letter addressed your concern. Again, thank you for meeting with my staff on this important issue. If you have further questions, please contact Phillip Brooks, Director, Air Enforcement Division, Office of Civil Enforcement (202) 564-0652 or Evan Belser, Chief, Mobile Source Enforcement Branch (202) 564-6850.

Sincerely,



Cynthia Giles